Appln. No. 09/911,435
Amendment dated November 28, 2005
Reply to Office Action mailed July 26, 2005

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<u>REMARKS</u>

Reconsideration is respectfully requested.

Claims 1 through 42 remain in this application. No claims have been
cancelled. No claims have been withdrawn. Claims 43 and 44 have been
added.

Paragraphs 3 and 4 of the Office Action

Claims 1 through 3, 18, 30 through 31, 33, and 35 through 42 have
been rejected under 35 U.S.C. Section 103(a) as being unpatentable over the
Egendorf et al. publication (hereinafter "Egendorf") in view of Kelley et al.
(hereinafter "Kelley").

Claim 1 requires, in part, "capturing a web page from the database
associated with said URL", and claim 35 requires "capturing said web
page".

In the rejection of claims 1, 30, and 35, it is conceded that the
Egendorf patent application publication does not disclose these
requirements, and it is then contended that the Kelley patent discloses these
requirements of the claims, and in the allegedly obvious combination with
Egendorf renders the claimed invention obvious. Turning first to the
portion of Kelley relied upon in the Office Action, at col. 3, lines 14
through 23, it is stated here that:

> In one embodiment, the form file is stored as an HTML source
> file. The form file may include an HTML source file previously
> accessed from an intra- or internet source combined with a set of data
> for the source file and the process may include accessing the form
> file from the program storage device and determining if the blank form
> corresponds to the form file. The program storage device then includes
> a plurality of form files, each of which includes an HTML source file
> previously accessed from an intra- or internet source combined with a
> set of data for the source file and containing information concerning
> time of creation of the form and a unique identification. The program
> storage device may further include a combined form table containing a
> list of the form files. The process then includes accessing the

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combined form tab e from the program storage device and determining
if the blank form c)rresponds to the form file.

This referenced portion if Kelley simply states that the "HTML source file"
is stored. One skilled ii the art must reference another portion of the
Kelley patent to fully ur derstand what is encompassed by the "HTML source
file", such as the definition at col. 4, lines 40 through 42, where it is stated
that:

> HTML sourc file--File with the HTML tags to be converted by a
> web browser to be displayed on a monitor.

In turn, the meaning of ' HTML tags" as used in the Kelley patent is set
forth in the description it col. 4, lines 37 through 39:

> HTML tags--Sections of text marked with < and > symbols to
> indicate the meani ig of each part of the HTML document.

In view of this statemen : in the Kelley patent that only the tags of the web
page are stored, it is sui mitted that the Kelley patent does not teach the
capturing of the web pa; e, but creating a file with only selected portions of
the web page. It is subi itted that the Kelley patent would lead one of
ordinary skill in the art away from storing the text portions of the web page,
including labels of the ' 'eb page that are associated with data entry
windows, which would 1 revent the analysis of the data entry windows for a
most probable data entr window. It is submitted that one of ordinary skill
in the art, considering v hat Kelley discloses, would not be led to the
requirements of claims   and 35.

It is further noted that the rejection of the claims relies upon the
allegedly obvious comb nation of the selected feature of Kelley discussed
above with the system of Egendorf. However, the Egendorf system is
directed to a "method f. r searching from a plurality of data sources", while
Kelley is directed to "w ab browser form enhancements" which involve a
"process and system for entering and retrieving previously stored data at a
client computer in an H FML form" (see the Abstract of Kelley), and is

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solely directed to saving data entered by a user into a form on one website and entering the same data into the form on the same website or on a different website.

As noted in the previous response, and not addressed in the most recent Office Action, claim 1 also requires "locating data entry windows in said captured web page" The rejection cites the Egendorf publication at ¶0075, which states (emphasis added):

> [0075] The mechanism for <u>extracting query parameters from a user search request</u> which can be used to make an inquiry of the searchbase comprises entering user search requests in a variety of ways, including predefined forms, pick-lists, browsing of the searchbase categories, word-search, and natural language. The set of mechanisms also include storage of information that relates terms (words, word stems, phrases) to searchbase categories. These linkages and programmed inference rules, which relate sets of searchbase nodes, thereby creating a concept thesaurus, are created by both a central authority and by the authors of the information sources. A variety of word-search and natural language technologies can be applied to free-form input, as described in the background section above, again provided that the searchbase and the linkage information is available.

Considering the text of the Egendorf publication, it is clear that rather than looking for data entry windows in a captured web page, this portion of the Egendorf publication is discussing the manner in which a *user search request* may be entered into the Egendorf system for conducting a search of databases that have been registered by their respective vendors. There is no mention here of anything that could be considered a web page, much less a web page that has been captured. Similarly, there is not mention of locating any data entry windows in any web page. It is there fore submitted that this portion of the Egendorf patent would not lead one of ordinary skill in the art to the step of "locating data entry windows in said captured web page".

Also, with respect to the requirement of "selecting a most probable data entry window of data entry windows for passing queries to said database" in claim 1, the rejection in the most recent Office Action did not

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address the points made n the previous response. As previously noted, the
rejection regarding this equirements of claim 1 cited the Egendorf
publication at ¶0079, which states:

> [0079] The sending of the generated query to the information source is
> accomplished by the execution of the program using the sending
> protocol. Such pro ocols may be standards such as HTTP, HTTPS, and
> FTP. The protocol submitted may include these base protocols along
> with additional inf)rmation such as login ID and password. Protocols
> also may indicate responses to requests for information such as
> cookies and client-side information. For example, a protocol
> description submit ed to the searchbase may indicate HTTPS along
> with the digital signature to be used for authentication. (Additional
> inputs would be pr)vided as required during use of the input forms of
> FIG. 12A if the us r indicted a selection which might require such
> additional inputs, 'or example, HTTPS.) Proprietary protocols built
> into the access me hods (e.g., the "Betty Beta" example of FIG. 14A)
> also may be used. The protocol description allows access and retrieval
> from information sources that personalize their responses based upon
> parameters in the search request from the user's system. For example,
> if a search request included information indicating the party for whom
> the search was bei g conducted, the information source could tailor its
> responses using in 'ormation about the user that was known to the
> information source (e.g., from its own database, or from a cookie in
> the user's compute ·), so as to return results more useful to the user
> than otherwise wo ild be possible.

However, there is no mention here of any selection of a "most probable"
data entry window for s .bmitting a query to a database, and instead this
portion of the Egendorf publication appears to rely entirely upon sending
protocol data that is sul mitted by a vendor through forms that the vendor
must fill out. Therefore, it is also submitted that the Egendorf patent would
not lead one of ordinary skill in the art to the step of "selecting *a most
probable data entry win low* of data entry windows for passing queries to
said database".

In contrast to the :laimed invention, the Egendorf system relies
completely upon the vei dors of the various databases to actively and
purposefully register with the Egendorf system before the Egendorf system
can submit queries to the database of the respective vendor. This

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information is entered b · the vendor through forms such as those shown in
Figures 12 through 17 o the Egendorf publication. In contrast to the
present invention, the E.;endorf patent is incapable of determining the
manner of submitting qu;ries to a database unless the vendor of the database
has taken it upon itself :o complete these forms. See, for example, the
Egendorf publication at [0183 (emphasis added):

> [0183] In order to)ermit users to access its most current database of
> shoes, the vendor i ust submit to the searchbase the search
> methodology whicl the vendor uses to allow its database to be queried.
> In this example, th t means the vendor must provide the information
> necessary to enter ι query into its query form and to understand the
> response obtained rom the query. The vendor submits only the
> methodology; the ·endor does not submit the database itself.

Similarly, the Egendorf)ublication states at ¶0186 (which was cited in the
Office Action) that (emphasis added):

> [0186] FIGS. 12A-12C illustrate an example of a form published on
> the Internet for ob aining the information from the provider of an
> information source which would be used to create the descriptive
> packet in the searc base for the information source.

This is further verified I y Egendorf at ¶0196, where it is stated (emphasis
added):

> [0196] In order foι Alpha's database to be accessible through the
> searchbase, Alpha nust provide the searchbase with the appropriate
> information about ts information source, which is its query form. In
> this example, this nformation includes the identification of Alpha and
> its query form, the categories about which Alpha desires to be queried,
> the language used)y Alpha's query form, the template of a submission
> made by Alpha's qι ery form to its database, the protocol for sending to
> Alpha, the protoco for receiving from Alpha, the language used by
> Alpha in returning its results, and the template of the returned
> information.

It is therefore subjiitted that the Egendorf publication relied upon in
the rejection of the Offi;e Action, would not lead one skilled in the art to
the applicant's inventio.. as required by claim 1. Further, claims 2, 3, and ,
which depend from claiιι 1, also include the requirements discussed above
and therefore are also sι bmitted to be in condition for allowance.

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Claim 30 requires, in part, "an action string module interfaced to said computer system and configured to *automatically determine a format associated with an entry page* for a database from said entry page, said action string module being configured to *automatically determine an appropriate data entry window* on said entry page for use in passing a query to said database" (emphasis added).

It is submitted tha , for the reasons forward above with respect to claim 1, claim 30 also d fines over the Egendorf publication.

Withdrawal of the §103(a) rejection of claims 1 through 3, 18, 30 through 31, 33, and 35 t irough 42 is therefore respectfully requested.

Paragraph 5 of the Office Action

The Examiner is thanked for the indication of allowance for claims 32 and 43.

The Examiner is also thanked for the indication that claims 5 through 16 and 19 through 28 would be allowable if written into independent form with the limitations of t .e base claim and any intervening claims. However, as there is no pending objection to claim 19, which is an independent claim, it is submitted that clair.s 19 through 28 are in condition for allowance without further amendment. Further, as independent claim 4 is not presently rejected or objected to, .nd claims 5 through 16 depend from claim 4, it is submitted that claims 4 hrough 16 are allowable without further amendment.

Added claims 43 and 4c

Added claim 43 re uires "wherein the step of capturing the web page includes storing substan ially all portions of the web page", and added claim 44 requires "wherein the step of capturing the web page includes storing text portions of the web page associated with any said data entry windows

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of the web page". It is submitted that, in view of the Kelley teaching of
storing only the HTML tags of a page, that one of ordinary skill in the art
would never be lead to the requirements of claims 43 and 44.

CONCLUSION

In light of the foregoing amendments and remarks, early
reconsideration and allowance of this application are most courteously
solicited.

Respectfully submitted,

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